

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAURICE PATRICK,

No. 2:14-cv-00373-SAB

Appellant,

v.

US DEPARTMENT OF EDUCATION
and WASHINGTON STATE
UNIVERSITY, and EDUCATIONAL
CREDIT MANAGEMENT
CORPORATION,

ORDER DISMISSING ACTION

Respondents.

Appellant Maurice Patrick filed his Notice of Appeal from the bankruptcy court on November 20, 2014. ECF No. 1 Mr. Patrick is appealing the dismissal of his action by the bankruptcy court. In dismissing his action, the court found that Mr. Patrick failed to properly serve the defendants, failed to appear at all regularly scheduled hearings, failed to properly answer discovery requests and failed to supplement his discovery response. ECF No. 1-2.

Since the initial filing of Mr. Patrick's appeal, this Court issued numerous show cause and other orders in an attempt to facilitate the prosecution of Mr. Patrick's appeal, and most recently referred this action to Magistrate John Rogers to assist Plaintiff in prosecuting this action. ECF Nos. 11, 15, 20, 27, 33.

ORDER DISMISSING ACTION ~ 1

1 The record reflects that the most recent Order issued by the Court was
2 returned as undeliverable to the two addresses the Court had on file for
3 Mr. Patrick. ECF No. 34, 35. Given that Mr. Patrick has been given numerous
4 opportunities by the Court to prosecute this action, the Court is left with no other
5 option but to dismiss the action for failure to prosecute and failure to provide a
6 forwarding address.

Accordingly, IT IS HEREBY ORDERED:

- 8 1. The referral to Magistrate Judge John Rodgers for the purpose of
9 facilitating settlement of Appellant's bankruptcy appeal is **withdrawn**.
10 2. The above-captioned case is **dismissed**, without prejudice.

11 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
12 file this Order, provide copies to Appellant, counsel, and Magistrate Judge
13 Rodgers, and close the file.

DATED this 8th day of December, 2016.



Stanley A. Sestan

Stanley A. Bastian
United States District Judge